

Amendments to the Specification

Please replace the paragraph beginning at page 2, line 24, with the following amended paragraph.

The beak treatment process involves the delivery of energy to the beak or beaks in amounts sufficient to retard the growth and/or result in erosion of portions of the treated beaks. The energy incident on one of the upper beak or lower beak may be reflected from an energy director (e.g., a reflector) or it may be provided by a separate energy source as described in, e.g., U.S. Patent Application No. 10/346,981, titled APPARATUS AND METHOD FOR UPPER AND LOWER BEAK TREATMENT, filed January 17, 2003.

Please replace the paragraph beginning at page 6, line 3, with the following amended paragraph.

The methods and apparatus of the present invention can be used in any suitable system in which the upper and/or lower beaks of live poultry are treated to retard and/or prevent growth of the beaks. Various beak treatment systems may be described in, e.g., U.S. Patent 5,651,731 (Gorans et al.) and U.S. Patent Application No. 10/346,981, titled APPARATUS AND METHOD FOR UPPER AND LOWER BEAK TREATMENT, filed January 17, 2003.

Please replace the paragraph beginning at page 7, line 1, with the following amended paragraph.

Although two energy emitters 82 and 84 are depicted in FIG. 1, they may be connected to a common non-contact energy source or they may each be powered by a separate non-contact energy source. In another alternative, the energy emitter 84 delivering energy to the lower beak 94 may be a reflector or other energy director as described in, e.g., U.S. Patent Application No. 10/346,981, titled APPARATUS AND METHOD FOR UPPER AND LOWER BEAK TREATMENT, filed January 17, 2003.

Preliminary Amendment

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Applicant(s): Marc S. GORANS et al.

Serial No. 10/702,369

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For: BEAK TREATMENT WITH TONGUE PROTECTION

Please replace the paragraph beginning at page 8, line 17, with the following amended paragraph.

Referring to FIG. 2 (a plan view of the first major side 12 of the head positioning device 10), a pair of retaining arms 40 are preferably provided on the head positioning device 10 to retain the bird's head within the beak receiving aperture 20. It may be preferred that the retaining arms 40 rotate about points 42 (in the plane of the paper on which FIG. 2 is located). When rotated inward as indicated by the arrows proximate points 42, the ends 44 of the retaining arms 40 are located behind the bird's neck, preventing the bird from removing its head 90 from the beak receiving aperture 20. The retaining arms 40 preferably urge the bird's head 90 into position within the beak receiving aperture 20, such that the tongue control protrusion 30 can apply the desired pressure to the bird as discussed herein. Similar retaining arms are depicted in, e.g., U.S. Patent 5,651,731 (Gorans et al.) and U.S. Patent Application No. 10/346,981, titled APPARATUS AND METHOD FOR UPPER AND LOWER BEAK TREATMENT, filed January 17, 2003.

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Amendments to the Drawings

The attached sheets of drawings, which include Figures 1-4, replace the original sheets including Figures 1-4. No substantive changes have been introduced.